

ABC PROCESS SERVICE, INC.

Attorney:

JOHN WARE UPTON, ESQ.

Index No. 07CIV11329

Date Filed / /

Office No. JWU01162E

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

DARRYL PETTEWAY

(PLAINTIFF)

against

(DEFENDANT)

THE CITY OF NEW YORK, A MUNICIPAL ENTITY, ETAL;

STATE OF NEW YORK, COUNTY OF NEW YORK SS:

SCHADRAC LAGUERRE being duly sworn deposes and says:

I am over 18 years of age, not a party to this action and reside in the State of New York:

That on the 4 day of January 2008 at 10:25 AM , at

162 E. 102ND ST;NY, NY 23RD PRECINCT

I SERVED the ECF CASE, COMPLAINT AND DEMAND FOR JURY TRIAL upon

NEW YORK CITY POLICE OFFICER CLEMENTS

the defendant herein named by delivering to and leaving a true copy of said ECF CASE, COMPLAINT AND DEMAND FOR JURY TRIAL

with a person of suitable age and discretion: to wit MR. OFFICE GARCIA, AUTHORIZED TO ACCEPT Deponent described Person served as aforesaid to the best of deponents ability at the time and circumstances of service as follows:

Sex MALE , Color BROWN, Hair BLACK, app.age 45 YRS, app.ht 5'10", app.wt 210 LBS

That at the time of service aforesaid, I asked Person so served or Person spoken to whether the defendant herein was in the military service of the State of N.Y. or the United States and received a negative reply. Upon information and belief based upon the conversation and observation as aforesaid I aver that the defendant is not in the military service of the State of N.Y. or the United States as that term is defined in the statutes or the State of N.Y. or the Federal Soldiers and Sailors Civil Relief Act.

SWORN to before me this 16  
day of January 2008

SCHADRAC LAGUERRE  
License No.: 10021952 :bb

JAY BRODSKY  
Notary Public, State of New York  
No. 31-668271  
Qualified in New York County  
Commission Expires Feb. 2, 2011